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Practitioner's Docket No. 1062/D72

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jason D. Demers, Matthew C. Harris, David W. McGill, Larry B. Gray, and Edward L. Staub

Application No.: 10/696,818

Group No.: 1723

Filed: October 30, 2003

Examiner: Sorkin, D.

For: Two-Stage Mixing System, Apparatus, and Method

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 41.31)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed February 28, 2006, for a second time rejecting claims 9-12 and 35-58. Enclosed is a Pre-Appeal Brief Request for Review.

02 FC:1251

120.00 OP

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

CERTIFICATION UNDER 37 C.F.R. ' ' 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

[x] deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

[x] with sufficient postage as first class mail.

37 C.F.R. § 1.10*

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07/03/2006 TBESHAH1 00000002 10696818

01 FC:1401

500.00 OP

Signature

Jeffrey T. Klayman

(type or print name of person certifying)

Date: June 28, 2006

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Appeal Brief is:

Other than a small entity \$500.00

Notice of Appeal fee due \$500.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4))
for one month:

Fee \$120.00

If an additional extension of time is required, please consider this a petition therefor.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$500.00

Extension fee \$120.00

TOTAL FEE DUE \$620.00

5. FEE PAYMENT

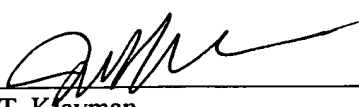
Attached is a check in the amount of \$620.00.

Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 19-4972.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 19-4972.

Date: June 28, 2006



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